

1 HON. RICHARD A. JONES  
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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 UNITED STATES OF AMERICA,  
9 Plaintiff,  
10  
11 v.  
12 ANDREW PETER SOLOMON,  
13 Defendant.

CASE NO. CR19-142RAJ

14 ORDER CONTINUING TRIAL DATE  
15 AND PRETRIAL MOTIONS DEADLINE

16 THIS MATTER comes before the Court upon defense counsel Timothy Lohraff's  
17 Motion to Continue Trial Date and Pretrial Motions Deadline (Dkt. #32). Having  
18 considered the motion, which is not opposed by the Government, the Court finds good  
19 cause to grant the motion over Defendant Solomon's objection.

20 The Court further finds:

21 (a) taking into account the exercise of due diligence, a failure to grant a  
22 continuance in this case would deny counsel for the defendant the reasonable time  
23 necessary for effective preparation due to counsel's medical issues as set forth in his  
24 motion, and the need for more time to review the evidence, consider possible defenses,  
25 and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);  
26 and

27 (b) a failure to grant such a continuance in this proceeding would likely result in a  
28 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as defense counsel has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

(d) the ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and the defendant in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A); and

(e) the additional time requested between the current trial date of March 30, 2020, and the new trial date is necessary to provide counsel for the defendant the reasonable time necessary to prepare for trial, considering counsel's medical issues and all of the facts set forth above.

In addition, the Court finds good cause to continue the trial date pursuant to General Order 02-20 re: Court Operations Under the Exigent Circumstances Created by COVID-19 and Related Coronavirus.

IT IS ORDERED that the motion to continue trial date and pretrial motions deadline (Dkt. #32) is GRANTED. The trial date in this case is continued from March 30, 2020, to June 8, 2020. All pretrial motions, including motions in limine, shall be filed no later than May 7, 2020.

Given the findings of General Order 02-20, the period of delay from the date of this order to the new trial date of June 8, 2020, is excludable time under the Speedy Trial Act, as the Court specifically finds that the ends of justice served by ordering the continuance outweigh the best interests of the public and any defendant's right to a speedy trial, pursuant to 18 U.S.C. §3161(h)(7)(A).

DATED this 25th day of March, 2020.

Richard D. Jones

The Honorable Richard A. Jones  
United States District Judge